

REMARKS/ARGUMENTS

The Applicants have carefully considered this Application in connection with the Examiner's Action and respectfully request reconsideration of this Application in view of the foregoing amendment and the following remarks.

The Applicants originally submitted Claims 1-21 in the Application. In the Amendment of April 17, 2007, the Applicants amended Claims 1, 3, 8, 10, 15, and 17-21, added Claim 22, and canceled Claims 2, 9 and 16 without prejudice or disclaimer. In the previous Amendment of October 4, 2007, the Applicants amended Claim 1, and canceled Claim 22 without prejudice or disclaimer, incorporating features of Claim 22 into Claim 1. However, the Examiner refused to enter the amendment on the grounds that "claims 3-7 now have a new feature, and the new feature changes the scope of the claims." (See Advisory Action, page 2.)

In the present Preliminary Amendment, Claim 22 is not cancelled and incorporated into independent Claim 1, and Claim 23 is new. Instead, other elements are introduced into independent Claims 1, 8 and 15, that of a plurality of *redundant* signals...

Support for the present amendments may be found, among other places, in paragraph [0025] of the present Application, wherein employment of a maximal ratio combiner is discussed ("MRC"). MRCs are used on redundant signals. Support for the present amendments may also be found in paragraph [0037] of the present Application.

Accordingly, Claims 1, 3-8, 10-15, and 17-23 are currently pending in the Application.

I. Rejection of Claims 1, 3-8, 10-15 and 17-21 under 35 U.S.C. §103

The Examiner rejected Claims 1, 3-5, 8, 10-12, 15 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2005/0097053 to Aaltonen *et al.* ("Aaltonen") in view of U.S. Patent No. 7,123, 875 to Marko *et al.* ("Marko"). The Examiner has rejected Claims 6, 13, and 20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2005/0097053 to Aaltonen in view of Marko in further view of U.S. Patent No. 6,370,153 to Eng ("Eng"). The Examiner has rejected Claims 7, 14, and 21 under 35 U.S.C. §103(a) as being unpatentable over Aaltonen in view of Marko in further in view of U.S. Patent No. 6,370,153 to Chen ("Chen"). The Applicants respectfully disagree in view of the foregoing amendments.

The Applicants respectfully state that neither Aaltonen nor Marko, either singularly or in combination, disclose or suggest a gateway configured to format a bitstream received from a broadcast receiver, the bitstream including an aggregate signal resulting from a combination of a plurality of *redundant* signals, at least one signal of said plurality of signals received from a satellite, as recited in Claim 1. (Emphasis added.)

The Examiner states that:

Aaltonen fails to specifically teach[es] the bitstream including an aggregate signal resulting from a combination of a plurality of signals. However... Marko teaches a satellite digital audio service (SDAR) receiver architecture; the system comprises an arrangement for receiving the satellite digital audio radio signal and distributing a converted signal in response thereto (col. 2, lines 27-20[40?]). the SDAR receiver are designed to receive *one or both of the satellite signals* and the signal from the terrestrial repeaters and combine or select one of the signals as the receiver output, and the repeater (having feature to format bitstream) receives and retransmits the satellite signal (col. 3, line 13 to col. 4, line 30)... (See Examiner's Action, page 3; emphasis added.)

The Applicants respectfully disagree with the Examiner regarding at least some aspects of the above characterization of Marko. The cited passage of Marko, col. 2 lines 27-40, concerning the summary of the invention, are directed to a *single* satellite, not one *or more* satellites, as the Examiner contends. There is no teaching or suggestion within this cited passage of more than one satellite.

Col 3, lines 27-31, which discusses the background of Marco, state "The SDARS receivers 20 are conventionally designed to receive one or both of the satellite signals and the signals from the terrestrial repeaters and combine or select one of the signals as the receiver output..." The Applicants respectfully state that this does not disclose or suggest the invention of Claim 1. In Claim 1, redundant signals are combined into an aggregate signal, and then delivered to a wireless access point (WAP). In the above cited passage of the background of Marco, however, any signals received by the SDARS receivers 20 are selected or combined *after* being received at the SDAR receiver, not *before*.

Furthermore, the Applicants have been unable to find a teaching or suggestion within Marco of including an aggregate signal resulting from a combination of a plurality of *redundant* signals, as is recited in Claim 1. One such example of a combination of a plurality of redundant signals in the present Application is through employment of a maximal ratio combiner, as is now claimed in new dependent Claim 22. Nor do Eng or Chen compensate for the deficiencies of Marco and Aaltonen.

Aaltonen, individually or in combination with Marko, Eng, or Chen fails to teach or suggest the invention recited in independent Claim 1, and its dependent claims, when considered as a whole. For similar reasons, nor do the cited references support the Examiner's rejection of independent Claims 8 and 15, and their dependent claims, when considered as a whole. Therefore, the Examiner

has not provided a *prima facie* case of obviousness of Claims 1, 3-8, 10-15 and 17-21 in view of Aaltonen and Marko, Eng, or Chen. The Applicants therefore respectfully request the Examiner withdraw the rejection and allow these claims to issue.

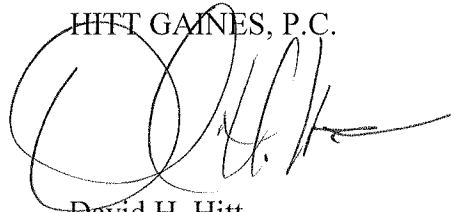
II. Conclusion

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1, 3-8, 10-15, and 17-23.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

HITT GAINES, P.C.

A handwritten signature in black ink, appearing to read 'D. Hitt', is written over the printed name 'HITT GAINES, P.C.' and the name 'David H. Hitt'.

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